

NEM:SMF/DIB

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
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UNITED STATES OF AMERICA

COMPLAINT

- against -

24 MJ 348

GIOVANNI PAOLO MARTORELLA,

(18, U.S.C. § 2252(a)(4)(B))

Defendant.

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EASTERN DISTRICT OF NEW YORK, SS:

RYAN MANN, being duly sworn, deposes and states that he is a Special Agent with the United States Department of Homeland Security, Homeland Security Investigations (“HSI”), duly appointed according to law and acting as such.

On or about May 5, 2024, within the Eastern District of New York and elsewhere, the defendant GIOVANNI PAOLO MARTORELLA did knowingly and intentionally possess with intent to view matter containing one or more visual depictions, to wit: images in digital files contained within an electronic device provided to United States Customs and Border Protection by the defendant at John F. Kennedy International Airport, and which visual depictions had been mailed, and shipped and transported in, and using a means and facility of, interstate and foreign commerce, and which were produced using materials which had been mailed, and so shipped and transported, by any means, including by computer, the production of such visual depictions having involved the use of one or more minors engaging in sexually explicit conduct, and such visual depictions were of such conduct.

(Title 18, United States Code, Section 2252(a)(4)(B))

The source of your deponent's information and the grounds for his belief are as follows:¹

1. I am a Special Agent with HSI and have been since July 2016. I am currently assigned to the Child Exploitation Investigations Team. During my tenure with HSI, I have participated in the investigation of cases involving crimes against children. Specifically, I have experience investigating cases involving production, receipt, distribution and possession of child pornography and have conducted physical and electronic surveillance, executed search warrants, reviewed and analyzed electronic devices and interviewed witnesses. As part of my employment with HSI, I successfully completed the Federal Law Enforcement Training Center's Criminal Investigator Training Program and Homeland Security Investigations Special Agent Training, both of which included instruction with respect to the application for, and execution of, search and arrest warrants, as well as the application for criminal complaints and other legal processes. As a result of my training and experience, I am familiar with the techniques and methods of operation used by individuals involved in criminal activity to conceal their actions from detection by law enforcement.

2. I am familiar with the facts and circumstances of this investigation from my personal participation in the investigation, my review of documents, my training and experience and discussions I have had with other law enforcement personnel concerning the creation, distribution and proliferation of child pornography. Additionally, statements attributable to individuals herein are set forth in sum and substance and in part.

¹ Because the purpose of this Complaint is to set forth only those facts necessary to establish probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware.

3. On or about May 5, 2024, the defendant GIOVANNI PAOLO MARTORELLA landed at John F. Kennedy International Airport, which is in the Eastern District of New York, traveling from Medellin, Colombia. He was stopped by United States Customs and Border Protection ("CBP"). A border search was conducted. During the search, MARTORELLA voluntarily gave CBP officers the passwords to his cell phone and laptop. Upon manually reviewing his cell phone, CBP officers identified that there was child sexual abuse material on the cell phone.

4. I subsequently arrived on the scene. I then reviewed the defendant GIOVANNI PAOLO MARTORELLA's cell phone and laptop. A manual search of the cell phone and the laptop revealed approximately 50 or more videos and images containing child sexual abuse material.


5. Specifically, on the defendant GIOVANNI PAOLO MARTORELLA's laptop, among other things, there was an approximately 16 minute and 42 second long video showing a minor prepubescent female being penetrated, either vaginally or anally, by an adult male's penis.

6. Additionally, on the defendant GIOVANNI PAOLO MARTORELLA's cell phone, among other things, there was an approximately 4 minute and 59 second long video showing an adult male in a shower with two pubescent minor females. In the video, one of the females was being penetrated, either vaginally or anally, by an adult male's penis and the other female was being fondled.

7. After being given Miranda warnings and agreeing to waive his Miranda rights, the defendant GIOVANNI PAOLO MARTORELLA provided a voluntary confession to law enforcement officers, including myself, during which he stated, in sum and substance, that

he possessed numerous images and videos containing child sexual abuse materials and that he was aware that the persons depicted therein were minors. MARTORELLA stated that his laptop, to which he also provided consent to search, contained over 1,000 such images and videos.

WHEREFORE, your deponent respectfully requests that the defendant GIOVANNI PAOLO MARTORELLA, be dealt with according to law.


/s/ Ryan Mann

RYAN MANN

Special Agent, United States Department of
Homeland Security, Homeland Security
Investigations

Sworn to before me this
6 day of May, 2024


THE HONORABLE VERA M. SCANLON
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK